TL 4503

OMCT
OPERATING THE SOS-TORTURE NETWORK

ORGANISATION MONDIALE CONTRE LA TORTURE
WORLD ORGANIZATION AGAINST TORTURE
Director Eric Sottas

CASE POSTALE 119 - 37-39, RUE DE VERMONT
CH 1211 GENÈVE 20 CIC
TÉLÉPHONE +4122-733 31 40
FAX +4122-733 10 51

ELECTRONIC MAIL OMCT@GEONET.POPTEL.ORG.UK
OMCT@IPROLINK.CH

Case IDN / TMP 200598.1
Follow-up of Case IDN / TMP 200598

The International Secretariat of OMCT has received new information regarding the following situation in **East Timor.**

Brief reminder of the situation :

The International Secretariat had been informed by the ETHCR of the summary execution of Mrs. **Maria da Costa** (also referred to as Mrs. Maria Freitas) on April 14th, 1998 and of the arbitrary arrests of Mr. **Domingos Oliveira** (on April 8th), Mr. **Salustiano Freitas** (husband of Maria da Costa) (April 14th), of Mr. **Lucio de Jesus**, Mr. **Jose da Costa**, Mr. **Paulo da Costa Soares**, Mr. **Alberto da Costa** and Mr. **Martins Belo** (the last five individuals were arrested between April 14th and April 16th) (see Appeal Case IDN / TMP 200598).

It was believed that Mrs. **Maria da Costa** was shot because of her husband's alleged involvement in the East Timorese clandestine resistance and that she had allegedly died of gun shot wounds.

It was believed that all seven individuals had been arrested for their alleged involvement in the East Timorese clandestine resistance and that they were charged under Article 1 of the Emergency Law Regulation No. 12 / 1951. The Secretariat feared that they would be subject to torture and ill-treatment since they had been denied access to their families and humanitarian assistance.

New information :

The International Secretariat has been informed by the ETHRC that Mrs. **Maria da Costa** was pregnant at the time of the shooting and she and her unborn child died of gunshot wounds. It has also been confirmed that two of her children, Guirbonio and Domingos Freitas, were also shot and died during the attack on their home. There has reportedly been no investigation into the death of Mrs. Maria da Costa and her children.

The International Secretariat has been informed that Mr. **Salustiano Freitas** was arrested following the attack and detained at Kopassus Headquarters in Baucau where it is believed that he has been subject to torture. Mr. Freitas has been released but remains under house arrest.

The Secretariat has been informed that the other six men aforementioned, **Domingos Oliveira,** Mr. **Lucio de Jesus**, Mr. **Jose da Costa**, Mr. **Paulo da Costa Soares**, Mr. **Alberto da Costa** and Mr. **Martins Belo**, are still in detention and that they are awaiting trial.

Actions requested :
Please write to the Indonesian authorities urging them:

i.- ensure a thorough and impartial investigation into the death of Mrs. **Maria da Costa** and her children, **Guirbonio** and **Domingos Freitas**, and the alleged torture and ill-treatment of Mr. **Salustiano Freitas** and the six other detainees mentioned below, in order to identify those responsible, bring them to trial and apply the penal, civil and administrative sanctions as provided by law;

ii.- ensure the right of **Domingos Oliveira,** Mr. **Lucio de Jesus**, Mr. **Jose da Costa**, Mr. **Paulo da Costa Soares**, Mr. **Alberto da Costa** and Mr. **Martins Belo** to a fair and impartial trial, ensure their procedural rights at all times as well as their physical and psychological integrity;

iii.- in general, ensure in all circumstances respect for Human rights and fundamental freedoms in accordance with national laws and international standards;

Addresses :

PRESIDENT YUSUF HABIBIE, President of the Republic of Indonesia, Istana Negara, Gedung Binagraha Jl. Veteran, Jakarta Pusat, INDONESIA, Fax: +62 21 345 7782.

MINISTER OF JUSTICE Prof. Dr. Muladi, S.H. Menteri Kehakiman, JI. H.R. Rasuna Said Kav. 6-7, Kuningan, Jakarta Selatan, Indonesia. Fax : + 62 21 525 3095

MINISTER OF FOREIGN AFFAIRS, Ali Alatas S.H. Menteri Luar Negeri, Jl Medan Taman Pejambon No. 6 Jakarta, Imdonesia, Fax +62 21 380 5511/360 517/345 7782/360 541

CHIEF OF NATIONAL POLICE Maj. Gen. (Pol.) Banurusman Atmosumitro, Kapolri, Markas Besar Kepolisian RI, JI. Trunojoyo 13, Kebayoran Baru, Jakarta Selatan, Indonesia.
Telegrams : National Police Chief, Jakarta, Indonesia

MILITARY COMMANDER REGION IX/UDAYANA(includes East Timor)
General.Adam Damiri, Pangdam IX/Udayana, Markas Besar KODAM IX/Udayana, Denpasar, Bali, Indonesia.
Telegram : Pangdam IX/Udayana, Denpasar, Bali, Indonesia.

SECRETARY GENERAL, NATIONAL COMMISSION ON HUMAN RIGHTS Prof. Dr. Baharuddin Lopa, Sekretaris Jenderal, Komisi Nasional Hak Azasi Manusia (Komnas HAM), JI Latuharhary No.4B,Menteng Jakarta Pusat, Indonesia. Phone/Fax: +62 21 392 5227-Email: info@kommas.go.id

Geneva - July 13th, 1998
Kindly inform us of any action undertaken by quoting the code of this appeal in your reply.